

## **REMARKS**

Reconsideration and withdrawal of the Examiner's rejections under 35 USC §112, 102 and 103 is requested in view of the foregoing amendments and the following remarks.

### **35 USC §112**

The examiner has rejected claim 4 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, asserting that this claim is indefinite in the recital of "selected from polymers comprising" in line 2 and "and/or polymers comprising" in line 5 because they do not conform with the proper Markush language as required in MPEP 2173.05(h)(I). In response, claim 4 has been amended to conform to MEPE 2173.05(h)(I) and MPEP Appendix A1, Annex B, Part 2, (III); Example 20.

### **35 USC §102**

The examiner has rejected claims 1-3, 5, 8, 9 and 11 under 35 U.S.C. 102(b) as being anticipated by JP 58103599, hereinafter "JP '599", asserting that JP '599 teaches a powdered fragrant cleaning composition for flush toilet which is packed in a bag of water-soluble film wherein the cleaning composition comprises 6 wt% polyoxyethylene sorbitan monooleate, 11 wt% liquid perfume, 18 wt% sodium tripolyphosphate, 18 wt% Na<sub>2</sub>SO<sub>4</sub> and 27 wt% sodium polyacrylate (see title and abstract) that since the resulting composition is powdered, the liquid perfume would have been absorbed by the solid ingredients such as sodium tripolyphosphate, sodium sulfate and sodium polyacrylate, that JP '599 teaches the limitations of the instant claims, hence JP '599 anticipates the claims.

The examiner has rejected claims 1-2, 5-11 under 35 U.S.C. 102(a) as being anticipated by Suri, et al. (US 2002/0035049), hereinafter "Suri"; asserting that Suri teaches an extruded toilet block for the In-Cistern use wherein the composition comprises surfactants, no bleaching agent, 6.0 wt% Lavendar fragrance and 5.0 wt% silica powder (fragrance-coating agent), wherein the coated fragrance is prepared by taking the silica in a vessel and the fragrance is

sprayed by a spray gun with continuous mixing until the total fragrance is uniformly coated onto the silica, the coated fragrance is then mixed with the rest of the ingredients, extruded and wrapped into a water-soluble PVA cloth (see Example 1 page 3, sections [0039-0048]). (See also Examples 5 and 6 on page 4, sections [0052-0053]). The examiner further asserts that Suri also teaches a method of cleansing toilets which comprises bringing the extruded block in contact with toilet flush water such as by placing the block in the cistern or in the bowl of the toilet (see page 3, section [0037]), and this allows consistent release of the perfume and other ingredients throughout an increased in-use life span of the block (see page 1, section [0006]), and Suri teaches the limitations of the instant claims, and Suri anticipates the claims.

In response, applicants have amended claim 1 to add the limitation of claim 3 further defined as less than 5% of anionic and nonionic surfactants by weight of the total amounts of solids in the pouch, in order to clearly distinguish the instant invention over JP '599 and Suri, et al. Both JP '599 and Suri, et al., disclose toilet blocks with more than 6% surfactants. (See JP '599.) For example, 6% polyoxyethylene, sorbitan, monooleate (STN abstract). (See also Suri, et al., paragraph 0008, line 1.) With respect to JP '599, it would be appreciated if the examiner could kindly provide a full translation of this document to applicants at the examiner's convenience (MPEP 901.05(d)).

### **35 USC §103**

The examiner has rejected claim 4 under 35 U.S.C. 103(a) as being unpatentable over JP '599 as applied to the above claims, and further in view of Ness, et al. (US Patent No. 6,194,375), hereinafter "Ness". The examiner asserts that JP '599 teaches the features as described above, that JP '599, however, fails to disclose polymers comprising the recited monomers as particle carrier for the perfume, that Ness teaches absorption of perfume by particles comprising monomers such as isobutyl methacrylate, n-butyl acrylate, n-butyl methacrylate, n-propyl acrylate, iso-propylmethacrylate and styrene (see col. 4, lines 28-33, examples), and such can retard the evaporation of deposited perfume and can also enhance the extent to which deposited perfume survives a subsequent drying step (see col. 1, lines 55-59), and that it would have been obvious to one of ordinary skill in the art at the time the invention was made to absorb the perfume of JP '599 onto particles comprising monomers like isobutyl methacrylate because this will retard the evaporation of deposited perfume and can also enhance the extent to which deposited perfume survives a subsequent drying step as taught by Ness.

In response, applicants respectfully assert that although Ness teaches absorption of perfume by particles comprising specific monomers, Ness does not teach a pouch of a specific character which is required by the instant claims. Therefore, Ness does not remedy the deficiencies of Suri, et al., with respect to the instant invention as presently claimed.

Claim 5 has been amended to remove "such as" language from the claim. This amendment in no way reduces the scope of synthetic polymers as claimed in claim 5.

#### **Other Prior Art**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure by the examiner in that the references are considered cumulative to or less material than those discussed above. In response, applicants have carefully considered these references and respectfully assert that they do not disclose or suggest the instant invention as presently claimed.

### CONCLUSION

In summary, claims 1, 4 and 5 have been amended and claim 3 has been cancelled as being redundant. No new matter has been added by these amendments.

In light of the above amendment and remarks, applicants submit that the claims now pending in the present application are in condition for allowance. Reconsideration and allowance of the application is respectfully requested.

If a telephone interview would facilitate prosecution of the application, the Examiner is invited to contact the undersigned at the number provided.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Alan A. Bornstein", written over a horizontal line.

Alan A. Bornstein  
Registration No. 40,919  
Attorney for Applicant(s)

AAB/ss  
(201) 894-2180